

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH AND GAME

Call to Order: Chair John Brenden, on February 21, 2011 at 9:00 A.M., in Room 422 Capitol

ROLL CALL

Members Present:

Sen. John Brenden, Chairman (R)
Sen. Joe Balyeat, Vice Chairman (R)
Sen. Debby Barrett (R)
Sen. Tom Facey (D)
Sen. Bradley Hamlett (D)
Sen. Greg Hinkle (R)
Sen. Jim Shockley (R)
Sen. Art Wittich (R)

Members Excused: Sen. Steven Gallus (D)
Sen. Larry Jent (D)

Members Absent: None

Staff Present: Joe Kolman, Legislative Branch
Kevin McCue, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 83, 2/21/2011

Executive Action: SB 174 - Do pass
SJ 13 - Tabled
SB 83 - Do pass as amended

HEARING ON SB 83

Opening Statement by Sponsor:

00:01:30 Sen. John Brenden (R), SD 18, opened the hearing on SB 83, FWP to bear cost of removing road kill from highways.

Proponents' Testimony:

None

Opponents' Testimony:

00:06:27 Joe Maurier, Director, Fish, Wildlife & Parks (FWP)

[EXHIBIT\(fis42a01\)](#)

00:08:03 George Golie, lobbyist, Montana Wildlife Federation (MWF)

00:08:40 Janet Ellis, lobbyist, Montana Audubon

00:08:53 Jim Lynch, Director, Department of Transportation (DOT)

[EXHIBIT\(fis42a02\)](#)

Informational Testimony:

None

Questions from Committee Members and Responses:

00:12:32 Sen. Hinkle
00:13:42 Sen. Brenden
00:14:59 Sen. Wittich
00:16:25 Dir. Maurier, FWP
00:16:54 Sen. Facey
00:17:30 Dir. Lynch, DOT
00:18:43 Sen. Barrett
00:18:58 Dir. Lynch
00:21:16 Sen. Barrett
00:21:58 Dir. Maurier
00:22:07 Sen. Balyeat
00:22:45 Dir. Lynch
00:23:04 Sen. Balyeat
00:23:58 Dir. Maurier
00:24:34 Sen. Hamlett
00:24:55 Dir. Lynch
00:26:08 Sen. Balyeat
00:26:26 Dir. Maurier
00:28:23 Sen. Hinkle
00:29:33 Dir. Lynch
00:31:52 Sen. Wittich
00:32:56 Dir. Maurier
00:33:13 Sen. Balyeat
00:33:18 Dir. Maurier

00:34:17 Sen. Shockley
00:34:30 Dir. Maurier
00:34:54 Sen. Hamlett
00:35:19 Dir. Lynch

Closing by Sponsor:

00:35:53 Sen. Brenden

EXECUTIVE ACTION ON SB 174

Motion: Sen. Hinkle moved that **SB 174 DO PASS.**

Discussion:

00:38:45 Sen. Wittich
00:39:22 Sen. Balyeat
00:39:42 Sen. Barrett
00:40:47 Sen. Shockley

00:41:53 **Vote:** Motion carried 6-4 by roll call vote with Sen. Facey, Sen. Hamlett, Sen. Jent and Sen. Shockley voting no. Sen. Gallus and Sen. Jent voted by proxy.

EXECUTIVE ACTION ON SJ 13

00:42:07 **Motion:** Sen. Facey moved that **SJ 13 DO PASS.**

00:42:16 **Motion:** Sen. Facey moved that **SJ 13 BE AMENDED.**

[EXHIBIT\(fis42a03\)](#)

Discussion:

00:43:22 Sen. Balyeat

00:44:11 **Vote:** Motion carried unanimously by voice vote of those present and voting.

00:44:20 **Motion:** Sen. Facey moved that **SJ 13 DO PASS AS AMENDED.**

Discussion:

00:44:26 Sen. Facey
00:45:01 Sen. Hinkle
00:45:35 Sen. Hamlett
00:46:23 Sen. Balyeat
00:48:47 Sen. Facey
00:48:49 Sen. Jent joined the meeting

00:49:02 **Motion/Vote:** Sen. Barrett made a substitute motion that **SJ 13 BE TABLED.** Motion failed 5-5 by roll call vote with Sen. Balyeat, Sen. Barrett, Sen. Brenden, Sen. Hinkle and Sen. Wittich voting aye. Sen. Gallus voted by proxy.

Discussion:

00:49:54 Sen. Facey
00:51:10 Sen. Wittich left the meeting

00:52:34 **Motion:** Sen. Facey moved that **SJ 13 DO PASS AS AMENDED.**

Discussion:

00:52:47 Sen. Barrett
00:53:59 Sen. Shockley
00:54:15 Sen. Barrett
00:54:43 Sen. Brenden

00:55:13 **Vote:** Motion failed 5-5 by roll call vote with Sen. Facey, Sen. Gallus, Sen. Hamlett, Sen. Jent and Sen. Shockley voting aye. Sen. Gallus and Sen. Wittich voted by proxy.

00:55:53 **Motion/Vote:** Sen. Facey moved that **SJ 13 BE TABLED AND THE VOTE REVERSED.** Motion carried 7-1 by voice vote of those present and voting with Sen. Hamlett voting no.

EXECUTIVE ACTION ON SB 83

00:56:39 **Motion:** Sen. Brenden moved that **SB 83 DO PASS.**

00:56:47 **Motion:** Sen. Brenden moved that **SB 83 BE AMENDED.**
[EXHIBIT\(fis42a04\)](#)

Discussion:

00:57:18 Sen. Shockley

00:57:38 **Vote:** Motion carried unanimously by voice vote of those present and voting.

00:57:49 **Motion:** Sen. Brenden moved that **SB 83 DO PASS AS AMENDED.**

Discussion:

00:57:57 Sen. Balyeat
00:58:23 Sen. Brenden
01:00:00 Sen. Shockley
01:01:44 Sen. Brenden
01:01:53 Sen. Barrett
01:03:17 Sen. Facey
01:03:30 Sen. Brenden

01:04:01 **Vote:** Motion carried 6-4 by roll call vote with Sen. Facey, Sen. Gallus, Sen. Hamlett and Sen. Jent voting no. Sen. Gallus and Sen. Wittich voted by proxy.

ADJOURNMENT

Adjournment:

01:05:11

Kevin McCue, Secretary

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Additional Documents:

EXHIBIT([fis42aad.pdf](#))